

REMARKS

Claims 1-15 remain pending in this application.

Claims 1-15 are rejected under 35 USC 103(a) on Itoh, U.S. Patent Publication No. 2001/0021037 and the partial translation of JP2000-215124 (JP '124). Applicants respectfully traverse this rejection.

Claims 1 recites “a second setting section for setting up an optional sender address representing a sender in place of a sending station address specifying the network scanner device” and “adding to the image data the sender address set by the second setting section and transmitting the image data to the recipient address set by the first setting section when the optional sender address is set up in place of the sending station address.” The cited references, taken individually or in combination, fail to disclose either of these features.

The Examiner compares the claimed “second setting section” with Itoh’s disclosure of a “transmission portion” that transmits the IP address of a sending station, as described in paragraphs [0020], [0059], and [0146]. (See, Office Action, p. 3, lines 4-9.) This comparison is improper.

Unlike the claimed second setting section, Itoh’s transmission portion does not set up an *optional sender address representing a user* in place of a sending station address. Rather, Itoh’s transmission portion merely transmits an IP address of a “sender,” meaning the IP address of the *sending station*. (See Itoh, paragraph [0158], “the IP address and the local IP address of the network scanner apparatus 100 set in the operation portion 1 by the user are stored [in] a head portion of the IP packet.”) Because Itoh’s transmission portion does not set up an optional sender address in place of a sending address, as required by claim 1, the rejection of claim 1 should be withdrawn.

The Examiner also compares the claimed “second setting section” with the disclosure in JP '124 of an e-mail address input by a user as a “sending station address.” (See Office Action, p. 4, lines 1-6.) This comparison is also improper.

Unlike the claimed "optional sender's address," which is set up by the claimed "second setting section" *in place of* a sending station address, the e-mail address in JP '124 is set up *as* the sending station address. (See JP '124, paragraph [0039], "An e-mail address of a PC or a WS, which is usually provided at a sender's seat, is inputted as a sending station address.") In other words, in JP '124 there is no substitution of a sender address in place of a sending station address, as required by the claim, because the e-mail *is* the sending station address. Because JP '124 fails to disclose setting up a sender address in place of a sending station address, as required by claim 1, JP '124 fails to cure the defects in Itoh. Accordingly, the rejection of claim 1 should be withdrawn.

Independent claims 11 and 12 recite features similar to those discussed above in relation to claim 1. Accordingly, these claims are allowable over Itoh and JP '124 for reasons similar to claim 1. The remaining claims depend from claims 1, 11, and 12 and are therefore allowable at least based on their respective dependencies.

In view of the above, early action allowing claims 1-15 is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. **204552031700**.

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